

REMARKS

Claims 1-5 stand rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,222,531 to Smith (hereinafter "Smith"). This rejection is respectfully traversed.

Independent claims 1, 4 and 5 relate to a systems and methods for emulating the functions performed by a set-top box to display an enhanced video stream on a computer. The enhanced video stream includes both video content and interactive content. As explained in the specification, when both video content and interactive content is displayed together, the positioning of each content type relative to each other should be checked to minimize the interference between the two types of content.

Accordingly, applicants claim systems and methods for applying a set of rules that emulate a set-top box. This emulation allows developers to check the layout using a computer. The emulator also examines the interactive content to determine a color that is not being used by the interactive content. This color is assigned to be a transparent color. The location of the video content in the enhanced content program is then determined and this location is identified by setting this location to the transparent color. In this manner, the video content can be located in a transparent box identified by a color not used in the interactive content. Since the color used to identify the transparent box is not used in the interactive content, the location of the interactive content can be clearly distinguished from the location of the video content.

Smith involves a completely different system for controlling several programs simultaneously. In order to make the control of these programs manageable, the transparency of these controls is changed as the need arises. Smith does not disclose or suggest the claimed invention. For example, Smith fails to disclose choosing a color not used in an interactive content. Smith further fails to disclose using a color to identify a transparent box where video content is to be located.

Since Smith fails to disclose the claimed invention, the rejection of claims 1-5, should be withdrawn.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Attorney Docket No. 559442001200. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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